

ORIGINAL

LAW OFFICES OF
PAUL, HASTINGS, JANOFSKY & WALKER
A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

600 PEACHTREE ST., N.E., STE. 2400
ATLANTA, GEORGIA 30308-2222
TELEPHONE (404) 815-2400

695 TOWN CENTER DRIVE
COSTA MESA, CALIFORNIA 92626-1924
TELEPHONE (714) 668-6000

TOWER 42
25 OLD BROAD STREET
LONDON EC2N 1HQ
TELEPHONE 44 (171) 562-4000

555 SOUTH FLOWER STREET
LOS ANGELES, CALIFORNIA 90071-2371
TELEPHONE (213) 683-6000

1299 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004-2400

TELEPHONE (202) 508-9500

FACSIMILE (202) 508-9700

INTERNET www.phjw.com

ROBERT P. HASTINGS (1910-1996)
COUNSEL
LEE G. PAUL
LEONARD S. JANOFSKY
CHARLES M. WALKER

399 PARK AVENUE
NEW YORK, NEW YORK 10022-4697
TELEPHONE (212) 318-6000

345 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA 94104-2635
TELEPHONE (415) 835-1600

1055 WASHINGTON BOULEVARD
STAMFORD, CONNECTICUT 06901-2217
TELEPHONE (203) 961-7400

ARK MORI BUILDING
12-32, AKASAKA 1-CHOME
MINATO-KU, TOKYO 107, JAPAN
TELEPHONE (03) 3586-4711

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WRITER'S DIRECT ACCESS

(202)508-9588

rbeverett@phjw.com

OUR FILE NO.

VIA MESSENGER

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
Portals II
445 12th Street, S.W., Suite TW-A325
Washington, D.C. 20554

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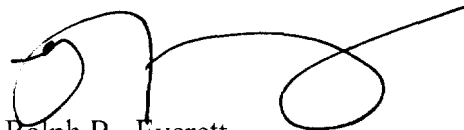
Re: Comments of SCC Communications Corp. in CC Docket No. 94-102 and WT
Docket No. 00-80

Dear Ms. Salas:

On behalf of SCC Communications Corp. ("SCC"), we submit herewith for filing
an original and four (4) copies of Comments in the above-referenced proceeding.

We also enclose an extra copy of this transmittal letter that is to be date-stamped
and returned in the envelope provided. Should any questions arise regarding this submission,
please contact SCC's undersigned legal counsel.

Respectfully submitted,



Ralph B. Everett

of PAUL, HASTINGS, JANOFSKY & WALKER LLP

Enclosures

cc: Jay Whaley, Policy Division, Wireless Telecommunications Bureau
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List A B C D E

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

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In the Matter of)
)
Further Consideration of Call Back)
Number Issues Associated With)
Non-Service Initialized Wireless)
911 Calls)

CC Docket No. 94-102
WT Docket No. 00-80

COMMENTS OF SCC COMMUNICATIONS CORP.

SCC Communications Corp. ("SCC")¹ by its attorneys, hereby respectfully submits its comments to the Commission in response to the Commission's May 18, 2000 *Public Notice*² seeking comment concerning call back capabilities for non-service initialized telephones associated with wireless E9-1-1 calls.

I. Introduction

Phase I of E9-1-1 deployment requires wireless carriers to provide the receiving cell site or sector information and call back number to Public Safety Answering Points ("PSAPs") in order for PSAPs to have the necessary call back information to assist the originator of the 9-1-1 call and emergency responders.³ The Commission wisely recognized that for those 9-1-1 calls associated with non-service initialized telephones, carriers could not always provide a reliable

¹ SCC Communications Corp. (NASDAQ: SCCX) is the leading provider of 9-1-1 operations support systems ("OSS") services to incumbent local exchange carriers ("ILECs"), competitive local exchange carriers ("CLECs"), and wireless carriers in the United States. SCC's 12 wireless customers have a subscriber base of approximately 28 million people.

² See "Comment Sought on Request for Further Consideration of Call Back Number Issues Associated with Non-Service Initialized Wireless 911 Calls," *Public Notice*, FCC 94-102, rel. May 18, 2000 ("Notice").

³ See 47 C.F.R. § 20.18(d).

call back number to the PSAPs and therefore exempted those 9-1-1 calls from the Phase I requirement.⁴

With the proliferation in the sale and use of non-service initialized wireless telephones however, the Commission now questions whether advances in technology will allow carriers to provide call back information for non-service initialized telephones.

As SCC has stated in comments previously filed in this docket, it is committed to Phase I implementation.⁵ SCC has made substantial investments to develop the technology and services necessary to meet the Commission's requirements under Phase I for wireless E9-1-1 services. It is SCC's position that, notwithstanding technological advances in call back capabilities, barriers continue to exist that impair wireless carriers' delivery of 9-1-1 calls from non-service initialized telephones.

II. Technological Barriers Continue to Exist

In order to meet the Commission's mandate, states and carriers are busy implementing Phase I requirements to allow PSAPs the ability to display a wireless telephone's call back number and an approximate location of the wireless caller. While great strides have been made to develop and deploy the Commission's requirement under Phase I, the wireless industry remains largely incapable of technically providing E9-1-1 services for non-service initialized telephones. Carriers generally cannot provide a 10-digit call back number for wireless telephones that are not service initialized. By their very nature, non-service initialized wireless phones generally make 9-1-1 calls untraceable. There is no owner of record or telephone number

⁴ *Id.*

⁵ See Comments of SCC, filed August 9, 1999 in CC Docket No. 94-102; Comments of SCC, filed September 14, 1999 in CC Docket No. 94-102.

that is associated with non-service initialized wireless phones. Without such information, carriers and PSAPs are unable to provide ANI and call back information as required by the FCC Phase I requirements.

III. Public Safety is Impaired

Public safety is not necessarily furthered by the use of non-service initialized phones. For the reasons explained below, the use of non-service initialized phones contributes to unforecasted demand, thus burdening the 9-1-1 network and moreover, leads consumers of those phones to believe that emergency help is available when it may not be available.

While the public safety entities raise concerns about public safety for consumers of non-service initialized telephones, the Commission's efforts to address this small segment of the wireless market unfairly impacts subscribing consumers. In order for carriers to adequately forecast 9-1-1 trunk requirements from the mobile switch, local exchange switches, and the trunk requirements for 9-1-1 call delivery to the PSAPs, it is necessary to obtain wireline and wireless customer counts by geographic area. Non-service initialized wireless phones are not accurately reflected in the count of working telephones within a geographic area.

This results in an under-forecast of 9-1-1 trunking requirements for any given area, and in turn, may cause a serious degradation or denial of 9-1-1 service to local exchange and wireless customers in that area. This result unfairly discriminates against wireless telephone consumers who subscribe to various rate plans that cover the cost of provisioning 9-1-1 services. The very network the subscribers are paying for is degraded by those who do not contribute to the cost recovery scheme.

Additionally, incidents of fraud through the use of non-service initialized phones may very well increase, burdening both the network and the responding emergency service providers. Fraudulent or prank calls that are not traceable get placed more frequently, simply because the calls are not traceable. Fraudulent consumers who use non-traceable phones for repeated 9-1-1 calls could cripple a network if the trunks are overwhelmed with traffic. Because dropped 9-1-1 calls may not be immediately disconnected from the network by the switching equipment, repeated 9-1-1 calls from a single instrument may cause multiple trunks to be effectively taken out of service by multiple prank 9-1-1 calls.

Lastly, consumers may very well have a false sense of security when they are led to believe they can receive the same quality of service from a non-service initialized phone as they can receive from initialized wireless phones. For consumers with initialized phones, there is less concern when a call is dropped because Phase I identification of the cell phone to the PSAP allows the PSAP to call the wireless phone back.

The same cannot be said for those consumers who call 9-1-1 on a non-service initialized telephone. It is extremely difficult for PSAPs to originate a call back to a non-service initialized wireless phone should the emergency response team have trouble locating the customer. This shortcoming of non-service initialized wireless phones may not have been clearly conveyed to the consumer, thus placing that consumer at risk for a delayed response to an emergency situation.

The Commission's desire to promote public safety and extend Phase I requirements to all wireless consumers is a laudable one. However, for those consumers without carrier initialized service, the Commission should encourage consumers to initialize their phones with carriers, both to promote their own safety and the safety of others. Additionally, the Commission should

undertake a public campaign to educate consumers who use non-service initialized phones that those phones do not necessarily provide the safety they promise.

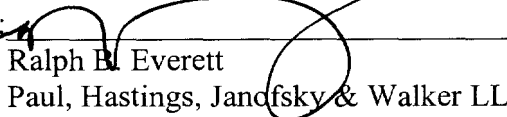
IV. Conclusion

SCC applauds the efforts of the public safety community for asking the Commission to refresh the record regarding this important matter. Given the technological constraints placed on carriers, vendors, and public safety in implementing E9-1-1 for non-service initialized wireless phones and the negative impacts those phones have on the 9-1-1 network, SCC recommends that the Commission continue to revisit the issue of non-service initialized wireless phones. In the interim, the Commission should educate, and encourage the public to use service initialized phones to further ensure their safety.

Respectfully submitted.

SCC COMMUNICATIONS CORP.

Its Attorney

By: 
Ralph B. Everett
Paul, Hastings, Jandfsky & Walker LLP
1299 Pennsylvania Avenue, N.W.
Tenth Floor
Washington, D.C. 20004
(202) 508-9500

Robert Cohen
Vice President, Government Relations
Martha Jenkins
Director, Regulatory Affairs
SCC Communications Corp.
1225 I Street, N.W., Suite 500
Washington, D.C. 20005
(202) 312-2010